

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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CONGREGANTS OF MOSDOS CHOFETZ CHAIM :
INC. a/ka KIRYAS RADIN,
Plaintiffs, : **Bankruptcy Court Adversary**
: **Proceeding 21-07023 (RDD)**
-against- :
MOSDOS CHOFETZ CHAIM INC., CHOFETZ : **Docket No. 1: 21-cv-9186 (PMH)**
CHAIM INC., TBG RADIN LLC, SHEM OLAM, : **Docket No. 2: 21-cv-9256 (PMH)**
LLC, CONGREGATION RADIN DEVELOPMENT : **Docket No. 3: 21-cv-10441 (PMH)**
INC., ARYEH ZAKS, BEATRICE WALDMAN
ZAKS, MENDEL ZAKS, GITTEL ZAKS :
LAYOSH, ELIYAHU LAYOSH, SAMUEL
MARKOWITZ, DEBORAH ZAKS HILLMAN, YOM :
T. HENIG, STEVEN GREEN, DANIEL GREEN,
ABRAHAM ZAKS and STERLING NATIONAL :
BANK,
Defendants-Appellees. :
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ORDER CONSOLIDATING APPEALS

Upon the Letter Motion of Appellants dated December 7, 2021, and the Consenting Letter of Appellees dated December 8, 2021, seeking the consolidation of the above-designated appeals pursuant to Rule 42(a)(2) of the Federal Rules of Civil Procedure, and the parties having advised the Court that they have agreed to a briefing schedule for those consolidated appeals, subject to the Court's approval; and

It appearing that consolidation is appropriate and would promote efficiency and judicial economy, and the briefing schedule proposed by the parties is reasonable,

NOW, THEREFORE, IT IS HEREBY ORDERED THAT

1. The appeals in *Congregants of Mosdos Chofetz Chaim Inc. v. Mosdos Chofetz Chaim Inc.*, under docket numbers 21-cv-9186, 21-cv-9256 and 21-cv-10441, are hereby consolidated for all purposes pursuant to Rule 42(a)(2) of the Federal Rules of Civil Procedure.

2. No further filings shall be made in docket numbers 21-cv-9186 or 21-cv-9256, both of which shall be administratively closed. All pleadings therein maintain their legal relevance.

3. Any further pleadings and other documents filed by the parties relating to these appeals shall be made in 21-cv-10441 and any pleadings and other documents received by the Clerk of Court for 21-cv-9186 or 21-9256 shall be filed in 21-cv-10441 (PMH).

4. Appellants' opening brief in the consolidated appeals shall be due on or before January 21, 2022; Appellees' opposing Brief shall be due on or before February 25, 2022; and Appellants' reply brief shall be due on or before March 8, 2022.

Dated: White Plains, New York
December 9, 2021



Hon. Philip M. Halpern, U.S.D.J.